

**METROPOLITAN WATER RECLAMATION DISTRICT
OF
GREATER CHICAGO**



Chemical Toilet Wastes Disposal Ordinance

As Amended

~~June 7, 2012~~ September 5, 2024

**METROPOLITAN WATER RECLAMATION DISTRICT
OF GREATER CHICAGO**

100 East Erie Street
Chicago, Illinois 60611
(312) 751-5600

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Board of Commissioners and Officers listed as of the date of printing approval – June 7, 2012-September 5, 2024

TABLE OF CONTENTS

<u>SECTION 1.</u>	<u>GENERAL PROVISIONS</u> <u>1. Purpose, Policy and Objectives</u> <u>2. Administration</u> <u>3. Definitions</u>
<u>SECTION 2.</u>	<u>PROHIBITIONS AND LIMITATIONS</u> <u>1. Prohibited Discharges</u> <u>2. Limitations</u>
<u>SECTION 3.</u>	<u>PROCEDURES AND PROGRAM REQUIREMENTS</u> <u>1. Disposal Procedure</u> <u>2. Insurance Requirement</u> <u>3. Compliance Monitoring Requirement</u>
<u>SECTION 4.</u>	<u>DISPOSAL PERMITS</u>
<u>SECTION 5.</u>	<u>DISPOSAL FACILITIES</u>
<u>SECTION 6.</u>	<u>FEES AND COSTS</u>
<u>SECTION 7.</u>	<u>ENFORCEMENT RESPONSE PLAN</u> <u>1. Notice of Violation</u> <u>2. Notice of Significant Violation</u> <u>3. Final Notice of Violation</u>
<u>SECTION 8.</u>	<u>EFFECTIVE DATE</u>

AN ORDINANCE TO AMEND THE SEPTIC TANK, CESSPOOL AND CHEMICAL TOILET WASTES DISPOSAL ORDINANCE OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

~~BE IT ORDAINED~~ by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago: That the Septic Tank, Cesspool and Chemical Toilet Wastes Disposal Ordinance, originally passed by the Board of Trustees of the Metropolitan Sanitary District of Greater Chicago on June 6, 1996, and as amended, is herewith and now comprehensively amended to read as follows:

CHEMICAL TOILET WASTES DISPOSAL ORDINANCE

For the purpose of promoting and protecting the public health and welfare, preventing the pollution of rivers and streams, suppressing disease and pursuant to "An Act to create Sanitary Districts and to remove obstructions in the Des Plaines and Illinois Rivers approved May 29, 1889, as amended."

~~IT IS HEREBY ORDAINED BY THE BOARD OF COMMISSIONERS OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO, HEREINAFTER REFERRED TO AS THE DISTRICT.~~

***Section One* — Definitions**

- (a) ~~The word "cleanings" shall mean waste materials removed from chemical toilets as herein defined.~~
- (b) ~~The term "chemical toilet" as used in this Ordinance shall mean and include a portable septic toilet, portable chemical closet and any other portable wa-~~

~~tertight enclosure used for storage and/or decomposition of human excrement and/or domestic wastes.~~

~~(c) The word "Director" shall mean the Director of Monitoring and Research of the Metropolitan Water Reclamation District of Greater Chicago.~~

~~(d) The word "District" shall mean the Metropolitan Water Reclamation District of Greater Chicago.~~

***Section Two* — Prohibited Activity**

~~(a) It is unlawful to discharge into the facilities of the District, cleanings from septic tanks and cesspools.~~

~~(b) It is unlawful to discharge into the facilities of the District, cleanings from chemical toilets without first obtaining written permission from the Director. Any discharge authorized by the Director shall only be at such locations and in such manner as the Director shall designate.~~

***Section Three* — Disposal Permits**

~~(a) Applications for written permission as required by Section Two shall be filed with the Director. One application shall be filed by each person or business entity seeking a permit. All information and documents required by the Director shall be included in the application. These include but are not limited to permits from the State of Illinois Department of Public Health and the Cook County Department of Public Health, the number, capacity, usage and license plate numbers of all tank trucks which will be discharging into the facilities of the District, and copies of insurance certificates.~~

~~(b) The Director shall issue a written permit, or written denial thereof itemizing the reason(s) for rejection, within 15 days of the date of his receipt of the application. Each permit issued shall designate the location and manner in which such cleanings may be disposed of and the period of time during which such disposals shall be permissible, provided that no permit shall be valid for a period of more than one year.~~

~~(c) One permit shall be issued to each person or business entity under the name of that person or business entity whose application has been approved. The Director shall issue separate copies of the permit for each vehicle operated by the Permittee and authorized by the District to discharge cleanings into the facilities of the District. Each separate copy of the issued permit shall be identified by the vehicle's current license plate number. The copy of the permit which identifies the vehicle as authorized to discharge cleanings into the facilities of the District must be in the possession of the vehicle driver at all times.~~

~~(d) In no case will any vehicle that is permitted by the Illinois Environmental Protection Agency to haul special or hazardous waste, or that is used to pump or hold special or hazardous wastes, be permitted to discharge cleanings from chemical toilets into the facilities of the District.~~

~~(e) A permit may be revoked or suspended by the Director for violation of any provision of the Ordinance but only after written notice has been given to the Permittee indicating the nature of the violation. Any Permittee whose permit has been revoked, suspended, or not renewed and any person whose permit application has been denied may request a review of the Director's~~

~~decision.~~

~~Such request must be made in writing, to the Director, and must clearly state the reason(s) why such Permittee believes that the revocation or suspension of the permit should be reversed. Any request for review must be received by the Director within 15 days of the date of notification that the permit has been revoked or suspended. The Director will give his decision within 15 days of the date the request for review was received by his office. A Permittee may not discharge into District facilities during the period of review without the written approval of the Director.~~

~~(f) The Director may defer the issuance of new or additional permits to dispose of cleanings from chemical toilets into the facilities of the District at any time when, in the Director's opinion, issuance of new or additional permits may potentially threaten or have adverse impact on the District's treatment and/or sludge application operations. Any such deferment will remain in effect until such time as the Director has determined that the treatment and/or sludge application operations of the District may no longer be threatened or adversely impacted by the issuance of new or additional disposal permits.~~

~~Section Four—Administration~~

~~This Ordinance shall be administered and enforced by the Executive Director of the District through the Director who is hereby designated the enforcing officer. Under this Ordinance, the Director shall establish and enforce the Rules and Regulations for the disposal of cleanings from chemical toilets into the facilities of the District.~~

~~Section Five—Disposal Facilities~~

- ~~(a) Disposal of cleanings from chemical toilets shall be permitted at the Stickney Water Reclamation Plant, 6001 West Pershing Road, Stickney, Illinois and/or at such other locations as determined by the Director.~~
- ~~(b) The normal working hours for the disposal of cleanings from chemical toilets shall be established by the Director and published in the Rules and Regulations which govern the disposal of such wastes.~~
- ~~(c) The Director may, under special circumstances, authorize after-hours disposal of cleanings from chemical toilets. Requests for such authorization must be made in writing to the Director.~~
- ~~(d) Access to the disposal location designated herein is limited to vehicles identified under a permit issued pursuant to this Ordinance and shall require that such vehicles permanently display on both sides of the vehicle in legible painted letters the name, address and telephone number of the Permittee and the total volumetric capacity, in gallons, of the permitted vehicle tank compartment. The Permittee's name shall be at least eight inches high in contrasting colors.~~

~~Section Six—Insurance~~

~~The Permittee shall carry such insurance as is deemed necessary by the Director to protect the District against all claims for damages incurred during the disposal of wastes into the facilities of the District. The Permittee shall supply the District with evidence of insurance upon receipt of a demand by the District of proof of insurance.~~

~~Section Seven—Rules and Regulations~~

~~The Rules and Regulations for the disposal of cleanings from chemical toilets and approved holding tanks into the facilities of the District as established by the Director are set forth in the permit approval letter and are made a part of, and incorporated into, each permit. Violation of any of the provisions of the Ordinance or the Rules and Regulations may result in the revocation or suspension of the permit.~~

~~Section Eight—Prohibitions and Limitations~~

- ~~(a) Permittees under this Ordinance who do not comply with Chapter I, Section 905.170 of the Illinois Administrative Code are prohibited from discharging cleanings, as defined by this Ordinance, into the facilities of the District.~~
- ~~(b) The disposal hereunder of oil wastes, industrial wastes, toxic wastes or hazardous wastes is specifically prohibited.~~
- ~~(c) The disposal hereunder of any wastes which contain materials other than human excrement or domestic wastes or which contain materials chemically uncharacteristic of human excrement or domestic waste is specifically prohibited.~~
- ~~(d) The disposal hereunder of waste from any source other than a chemical toilet used exclusively for domestic waste is specifically prohibited.~~
- ~~(e) The disposal of the contents of any holding tank is specifically prohibited, unless prior written approval is received from the Director.~~
- ~~(f) The disposal of septic system wastes from commercial facilities engaged in~~

food preparation activities which generate fats, oils and greases is specifically prohibited.

(g) ~~The Director may commence enforcement proceedings when a finding is made that any waste disposed under a permit issued pursuant to this Ordinance is found to exceed the maximum concentrations acceptable for discharge of hauled wastes from domestic chemical toilets or approved holding tanks into District facilities. The maximum concentrations accepted, based on dry weight analysis, are as follows:~~

Waste or Chemical	Concentration (mg/Kg)
Cyanide (total)	100.0
Zinc	2,000.0
Cadmium	35.0
Copper	1,200.0
Chromium (total)	300.0
Iron	15,000.0
Nickel	80.0
Lead	180.0
Mercury	5.0

In any enforcement proceedings, the relief sought by the District may include, but is not limited to, revocation or suspension of the permit.

Section Nine Cost for Disposal

(a) ~~A nonrefundable administrative fee of \$1,500.00 for the review and processing of a permit application is payable at the time of permit application submittal. An additional fee of \$350.00 will be charged for each subsequent review of a permit application.~~

(b) ~~Charges for the disposal of wastes in conformance with this Ordinance shall be administered via a prepaid coupon system.~~

(c) ~~Charges shall be based on the total volumetric capacity of the permitted vehicle tank vessel.~~

(d) ~~Coupons shall be purchased in advance and remitted to the District upon entry to District facilities, as designated by Section Five (a) of this Ordinance, for the purpose of disposing of wastes in conformance with this Ordinance.~~

(e) ~~The schedule of charges for the disposal of wastes in conformance with this Ordinance is as follows:~~

Total Volumetric Capacity of Tank Compartment	Charge
Less than or equal to 950 gallons	\$40.00
Greater than 950 gallons but less than or equal to 1,900 gallons	\$75.00
Greater than 1,900 gallons but less than 3,000 gallons	\$110.00
Equal to or greater than 3,000 gallons	\$150.00

(f) ~~After hours disposal of waste, in conformance with Section Five (c) of this Ordinance, shall be charged at a rate of triple the schedule of fees established by this Section.~~

~~(g) Coupons issued to persons permitted under this Ordinance are nontransferable.~~

~~(h) Fees and charges provided herein are subject to annual revision by amendment to this Ordinance.~~

~~Section Ten~~

~~This Ordinance shall take effect immediately upon and after its passage and publication as provided by law.~~

~~This Ordinance shall become effective immediately upon the passage thereof.~~

~~Approved:~~

~~TERRENCE J. O'BRIEN~~

~~President~~

~~Board of Commissioners Metropolitan Water
Reclamation District of Greater Chicago~~

~~Approved as to Form and Legality: RONALD HILL
General Counsel~~

BE IT ORDAINED by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago: That the Septic Tank, Cesspool and Chemical Toilet Wastes Disposal Ordinance, originally passed by the Board of Trustees of the Metropolitan Sanitary District of Greater Chicago on June 6, 1996, and as-amended on June 7, 2012 by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago to be known as the “Chemical Toilet Wastes Disposal Ordinance, is herewith and now comprehensively amended to read as follows:

CHEMICAL TOILET WASTES DISPOSAL ORDINANCE

SECTION 1. GENERAL PROVISIONS

1.1 Purpose, Policy, and Objectives

This Chemical Toilet Wastes Disposal Ordinance, hereinafter known as the Ordinance, promulgated by the Metropolitan Water Reclamation District of Greater Chicago, hereinafter known as the District, pursuant to the authority vested in it by the Illinois legislature, has as its purpose the protection of the public health and safety by abating and preventing pollution through the regulation and control of the quantity and quality of chemical toilet wastes admitted to or discharged into the sewerage systems, sewage treatment facilities, and waters under the jurisdiction of the District.

This Ordinance sets forth uniform policy for Permittees of Chemical Toilet Wastes Disposal to the facilities of the District, to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403).

The objectives of this Ordinance are:

- A. To prevent the introduction of pollutants into District facilities that will interfere with its operation.
- B. To prevent the introduction of pollutants into District facilities that will pass through the District’s facilities, into receiving waters, or otherwise be incompatible with the District’s facilities.
- C. To protect both the general public, and District personnel.
- D. To promote and protect the public health and welfare through the prevention of the pollution of rivers and streams, and the suppression of disease.
- E. To comply with “An Act to create Sanitary Districts and to remove obstructions in the Des Plaines and Illinois Rivers approved May 29, 1889, as amended.”

1.2. Administration

This Ordinance shall be administered and enforced by the Executive Director of the District through the Program Director, or their designee, who is hereby designated the enforcing officer. Under this Ordinance, the Program Director shall establish and enforce the Rules and Regulations for the disposal of chemical toilet waste into the facilities of the District.

1.3 Definitions

Words and terms not defined herein shall be understood by their common dictionary definition.

Within the context of this Ordinance, the following words and terms shall be defined as follows (except where otherwise specified):

“Business Days”

Monday through Friday, 6:30am through 3:00pm, excluding District recognized Holidays.

“Chemical Toilet”

A portable septic toilet, portable chemical closet and any other portable watertight enclosure used for storage and/or decomposition of human excrement and/or domestic wastes.

“Chemical Toilet Waste”

Human excrement and domestic wastes removed from chemical toilets pursuant to written permission from the Program Director.

“District”

The Metropolitan Water Reclamation District of Greater Chicago.

“Program Director”

The District Officer(s) designated by the Executive Director to create, oversee, and enforce the Chemical Toilet Waste Disposal Ordinance, or any subprogram created thereunder.

SECTION 2. PROHIBITIONS AND LIMITATIONS

2.1 Prohibited Discharges

A. Any waste other than Chemical Toilet Waste, as defined by this Ordinance, is strictly prohibited.

B. It is unlawful to discharge chemical toilet waste into the facilities of the District without first obtaining written permission from the Program Director. Any discharge authorized by the Program Director shall only be at such locations and in such manner as the Director shall designate.

C. Permittees under this Ordinance who do not comply with Title 77, Section 905.170 (Servicing, Cleaning, Transporting and Disposing of Wastes from Private Sewage Disposal Systems) and Section 905.135 (Portable Sanitation) of the Illinois Administrative Code are prohibited from discharging chemical toilet waste, as defined by this Ordinance, into the facilities of the District.

D. The disposal of the contents of any holding tank is specifically prohibited unless prior written approval is received from the Program Director.

E. The Permittee is responsible for maintaining a clean and orderly condition in the vicinity of the disposal site. Any accidental discharges onto District property will be the responsibility of the spiller to remediate to the District's satisfaction.

2.2 Limitations

A. The Program Director may issue enforcement actions when a finding is made that any waste disposed under a permit issued pursuant to this Ordinance is found to exceed the maximum concentrations acceptable for discharge of hauled chemical toilet wastes or approved holding tanks into District facilities. The maximum concentrations accepted, are as follows:

<u>Pollutant</u>	<u>Concentration (mg/L)</u>
<u>Cadmium (total)</u>	<u>1.19</u>
<u>Chromium (total)</u>	<u>10.23</u>
<u>Copper (total)</u>	<u>40.93</u>
<u>Cyanide (total)</u>	<u>3.41</u>
<u>Iron (total)</u>	<u>511.59</u>
<u>Lead (total)</u>	<u>6.14</u>
<u>Mercury (total)</u>	<u>0.171</u>
<u>Nickel (total)</u>	<u>2.73</u>
<u>Zinc (total)</u>	<u>68.21</u>

B. The District reserves the right to assign specific limits, in addition to the limits above, to a permit if the Permittee's discharges have the ability to cause interference or pass-through at a District facility.

SECTION 3. PROCEDURES AND PROGRAM REQUIREMENTS

3.1 Disposal Procedure

The procedures for the disposal of chemical toilet waste and approved holding tanks into the facilities of the District as established by the Program Director are set forth in the permit approval letter and are made a part of, and incorporated into, each permit. Violation of any of the provisions of the Ordinance or these procedures may result in the revocation and/or suspension of the permit.

3.2 Insurance Requirement

The Permittee shall carry such insurance as is deemed necessary by the Program Director to protect the District against all claims for damages incurred during the disposal of wastes into the facilities of the District. The Permittee shall supply the District with evidence of insurance upon receipt of a demand by the District of proof of insurance.

3.3 Compliance Monitoring Requirement

The District maintains the right to monitor via sampling any disposals of chemical toilet waste and approved holding tanks into the facilities of the District. Failure to allow monitoring via sampling will result in a violation of this Ordinance which may result in enforcement action, escalation of a prior enforcement action, suspension of the associated permit, and/or revocation of the associated permit.

The District may require Permittees to conduct their own sampling and analysis, at their own cost.

SECTION 4. DISPOSAL PERMITS

A. Applications for written permission as required by Section 2.1 (B) shall be filed with the Program Director. One application shall be filed by each person or business entity seeking a permit. All information and documents required by the Program Director shall be included in the application. These include, but are not limited to, permits from the State of Illinois Department of Public Health and the Cook County Department of Public Health, the number, capacity, usage and license plate numbers of all tank trucks which will be discharging into the facilities of the District, and copies of insurance certificates.

B. The Program Director shall issue a written permit, or written denial thereof itemizing the reason(s) for rejection, within 30 days of the date of their receipt of the application. Each permit issued shall designate the procedures for the disposal of chemical toilet waste and approved holding tanks into the facilities of the District as required by Section 3.1 of this Ordinance. No permit shall be valid for a period of more than one year.

C. One permit shall be issued to each person or business entity under the name of that person or business entity whose application has been approved. The Program Director shall issue separate copies of the permit for each vehicle operated by the Permittee and authorized by the District to discharge chemical toilet waste into the facilities of the District. Each separate copy of the issued permit shall be identified by the vehicle's current license plate number. The copy of the permit which identifies the vehicle as authorized to discharge chemical toilet waste into the facilities of the District must be in the possession of the vehicle driver at all times.

D. In no case will any vehicle that is permitted by the Illinois Environmental Protection Agency to haul special or hazardous waste, or that is used to pump or hold special or hazardous wastes, be permitted to discharge chemical toilet waste into the facilities of the District.

E. A permit may be revoked or suspended by the Program Director for violation of any provision of the Ordinance or procedure located within their permit but only after written notice has been given to the Permittee indicating the nature of the violation. Any Permittee whose permit has been revoked, suspended, or not renewed and any person whose permit application has been denied may request a review of the Program Director's decision.

Such request must be made in writing, to the Program Director, and must clearly state the reason(s) why such Permittee believes that the revocation or suspension of the permit should be reversed. Any request for review must be received by the Program Director within 30 days of the date of notification that the permit has been revoked or suspended. The Program Director will give their decision within 30 days of the date that the request for review was received by their

office. A Permittee may not discharge into District facilities during the period of review without the written approval of the Program Director.

F. The Program Director may defer the issuance of new or additional permits to dispose of chemical toilet waste into the facilities of the District at any time when, in the Program Director's opinion, issuance of new or additional permits may potentially threaten or have adverse impact on the District's treatment and/or sludge application operations. Any such deferment will remain in effect until such time as the Program Director has determined that the treatment and/or sludge application operations of the District may no longer be threatened or adversely impacted by the issuance of new or additional permits.

SECTION 5. DISPOSAL FACILITIES

A. Disposal of chemical toilet waste pursuant to permit shall occur at the Stickney Water Reclamation Plant, 6001 West Pershing Road, Stickney, Illinois and/or at such other locations as determined by the Program Director. For more information, see procedures for disposal of chemical toilet waste set forth in the permit approval letter which is incorporated into each permit.

B. The hours for the disposal of chemical toilet waste shall be established by the Program Director and are included in the permit letter. Disposal hours are typically 6:30am to 3:00pm, all days of the week including holidays. Permittees who wish to discharge on weekends and/or District recognized holidays are required to notify the Program Director or their designee at least two business days, as defined by this Ordinance, prior to delivery so that compliance monitoring via sampling may be scheduled, pursuant to Section 3.3 of this Ordinance. These dates and requirements are included in each annual permit approval letter for convenience.

C. Only permitted vehicles and authorized drivers shall have access to the disposal site.

SECTION 6. FEES AND COSTS

A. A nonrefundable administrative fee of \$500.00 for the review and processing of a permit application is payable at the time of permit application submittal. An additional fee of \$250.00 will be charged for each subsequent review of a permit application.

B. A flat rate of \$0.04 per gallon, based on the volumetric capacity of the permitted vehicle, will be administered via a quarterly invoice.

C. The District will send to Permittees a quarterly payment notification, should they have generated any costs which have not previously been invoiced. These payments are due and payable 45 days after the date on the invoice. The quarterly payments will be updated by the District at the beginning of every quarter for the previous quarter.

D. Interest at the rate of 0.75% per month or for any fraction thereof shall be added to any overdue payments as provided in 815 Illinois Compiled Statues 205/4. Such interest shall accrue from the date any remittance was due until same is paid. Interest shall not be charged upon previously assessed and unpaid interest.

SECTION 7. ENFORCEMENT RESPONSE PLAN

The District maintains the right to at any time suspend or revoke a permit pursuant to Section 4 (E). Any Permittee that receives a written notification of a violation may request a review of the violation. Such request must be made in writing to the Program Director and must clearly state the reason(s) why such Permittee believes that the violation was issued in error. Any request for review must be received by the Program Director within 30 days of the date of notification of the violation. The Program Director will give their decision within 30 days of the date that the request for review was received by their office.

7.1 Notice of Violation

The Permittee will receive a written notification and a charge of \$500.00 from the District in the event that a Permit limit was exceeded, but by less than five times the limit The Notice of Violation requires acknowledgment of the violation within 15 days of receipt.

7.2 Notice of Significant Violation

The Permittee will receive a written notification and a charge of \$750.00 indicating that:

- A. At any one time, the Permittee has exceeded any parameter of their permit limit equal to or greater than five times the limit, or
- B. Exceeded the same parameter of their permit limit more than once prior to receiving a Notice of Violation, or
- C. Exceeded the same parameter of their permit limit within 90 calendar days of the date of the discharge resulting in a Notice of Violation.

The Permittee is required to investigate the incident resulting in a Notice of Significant Violation, take measures to remediate or explain the condition of the violation, and to reply within 90 calendar days with their findings.

7.3 Final Notice of Violation

The Permittee will receive a written notification, a charge of \$1,500.00, and possible revocation or suspension of permit if:

- A. They exceeded the same parameter of their permit limit within 90 calendar days of the date of a Notice of Significant Violation, or
 - B. Failed to investigate, remediate, or otherwise explain the condition of their Noncompliance within 90 calendar days of a Notice of Significant Violation.
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SECTION 8. EFFECTIVE DATE

This Ordinance remains in full force and effect and the amendments hereto adopted on September 5, 2024, shall be effective on September 5, 2024.

Approved:

Kari K. Steele
President of the Board of Commissioners of the
Metropolitan Water Reclamation District of
Greater Chicago

Approved as to Form and Legality:

Christopher M. Murray
Head Assistant Attorney

Susan T. Morakalis
General Counsel